

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

OLGA ZAMORA, Guardian ad litem for
Maria Zamora, and JOSE ZAMORA,
Guardian ad litem for Omar Zamora and
Edgar Zamora,

Plaintiffs,

v.

CITY OF OAKLAND, ANTHONY BATTS,
CITY OF SAN FRANCISCO and GEORGE
GASCON,

Defendants.

Case No. 12-cv-02734 NC

**ORDER TO DEFENDANTS TO
RESPOND TO PLAINTIFFS'
SUPPLEMENTAL DECLARATION
IN OPPOSITION TO MOTION FOR
SUMMARY JUDGMENT**

Re: Dkt. No. 37

On July 23, 2013, the Court issued an order permitting plaintiffs to file supplemental materials in support of their request to deny defendants' motion for summary judgment or allow additional time to take discovery under Federal Rule of Civil Procedure 56(d). Dkt. No. 36. On July 30, 2013, plaintiffs filed a supplemental declaration of James Martinez in opposition to defendants' motion for summary judgment, asserting that defendants failed to produce essential discovery that was requested by plaintiffs. Dkt. No. 37. By August 6, 2013 at 5:00 p.m., defendants must file a response to plaintiffs' supplemental declaration, which may be accompanied by attachments, addressing (1) whether defendants have failed to produce discovery (including photographs and videotapes of the incident) which is in

Case No. 12-cv-02734 NC
ORDER TO RESPOND TO
SUPPLEMENTAL DECLARATION

1 their possession, custody, or control and is essential to oppose the pending summary
2 judgment motion, as plaintiffs assert in their opposition and supporting declarations; (2)
3 whether plaintiffs timely requested that discovery, and were diligent in pursuing it; (3) and
4 whether the Court should allow plaintiffs additional time to take discovery.

5 IT IS SO ORDERED.

6 Date: August 2, 2013

7 
Nathanael M. Cousins
United States Magistrate Judge